

Memorandum

Date: May 25, 1999

To: Federal State Small Group

From: Lester A. Snow
Executive Director

Subject: Scope of Conservation Measures in MSCS

CALFED Bay-Delta Program staff has reviewed the conservation measures proposed in the Multi-species Conservation Strategy ("MSCS") to determine their scope. The MSCS conservation measures fall into three categories: (1) conservation measures that mitigate for Program impacts on the 242 species evaluated in the MSCS; (2) conservation measures that refine and add detail to existing Ecosystem Restoration Program actions or other CALFED Program actions to benefit species and habitats; and (3) additional conservation measures that expand beyond the ERP that are deemed necessary to achieve the species goals of Recovery ("R") or Contribute to Recovery ("r").

The majority of conservation measures in the MSCS either mitigate for Program impacts to species or refine existing ERP actions by adding locational and temporal specificity. Some measures deemed additional to the ERP by CALFED staff will be incorporated into the ERP. Other measures deemed additional to the ERP are being recommended for exclusion from the MSCS and the CALFED Program by CALFED staff, including:

Delta smelt (R)

"To the extent consistent with Program objectives, provide realistic incentives to landowners to allow sampling of 100% of the water diverted for Delta smelt through agricultural diversions throughout the Delta."

CALFED Agencies

California

- The Resources Agency
- Department of Fish and Game
- Department of Water Resources
- California Environmental Protection Agency
- State Water Resources Control Board

Federal

- Environmental Protection Agency
- Department of the Interior
- Fish and Wildlife Service
- Bureau of Reclamation
- U.S. Army Corps of Engineers

- Department of Agriculture
- Natural Resources Conservation Service
- Department of Commerce
- National Marine Fisheries Service

Sacramento splittail (R)

"To the extent consistent with Program objectives, limit future increases in water diversions from the Bay-Delta and its watershed."

"To the extent consistent with Program objectives, provide realistic incentives to landowners to allow sampling of 100% of the water diverted for Sacramento splittail through agricultural diversions throughout the Delta."

"To the extent consistent with Program objectives, enforce existing water quality standards for Delta outflow, heavy metals, pesticides, and other pollutants."

California yellow warbler (r)

"Establish and incorporate breeding habitat goals into the Watershed Program."

Western yellow-billed cuckoo (r)

"Protect stands of occupied riparian forest from loss and disturbance that may be associated with implementation of actions or from potential future changes in land use or other activities that could result in the loss or degradation of habitat."

The foregoing measures are being recommended for exclusion because they are deemed inconsistent with the CALFED Program's objectives or because they are not deemed by staff to be necessary to meet the species goals of "R" or "r" as applicable.

In addition, CALFED staff recommends that certain conservation measures suggested for inclusion in Comprehensive Monitoring, Assessment, Research Program may not be appropriate for the CALFED Program. For example, the CMARP conservation measures include costly life history research for many species. The responsibility for these measures and their relationship to existing agency obligations remains unclear. Inclusion of these measures in the MSCS and in CMARP, may best be couched in terms of measures the CALFED agencies will implement to the extent practicable.